

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEBORA NOVAKOWSKI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 04-356E
	)	
ELAINE CHAO, SECRETARY, AND THE	)	JUDGE McLAUGHLIN
UNITED STATES DEPARTMENT	)	
OF LABOR,	)	
	)	ELECTRONICALLY FILED
Defendants.	)	

**DEFENDANTS' REQUESTED VOIR DIRE**

AND NOW, come the Defendants, Elaine Chao, Secretary, and the United States Department of Labor, by their undersigned attorneys, and respectfully submit the following Requested Voir Dire.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant U.S. Attorney  
U.S. Post Office & Courthouse  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
(412) 894-7418  
PA ID No. 30440

Dated: June 2, 2006

**DEFENDANTS' REQUESTED VOIR DIRE NO. 1**

The defendants' anticipated witnesses will be:

(Please refer to the defendants' witness list.)

Are you acquainted with any of these people? If so, would that relationship affect your ability to render an impartial decision in this case?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 2**

The plaintiff's anticipated witnesses will be:

(Please refer to the plaintiff's witness list.)

Are you acquainted with any of these people? If so, would that relationship affect your ability to render an impartial decision in this case?

NOTE: If your answer to any of the following questions would prove embarrassing to you personally if answered in the presence of the panel as a whole, you may raise your hand, state your name and come forward to the bench and reply to the Court and attorneys privately.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 3**

Have you or any relative or close friend ever been involved in a court case as a plaintiff, defendant, or witness? If so, what kind of case was it? Did it go to trial? What was the outcome? Were you satisfied with the outcome? How do you think that experience might influence you if you are selected to be a juror in this case?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 4**

This case involves accusations of gender discrimination. Have you ever been the subject of gender discrimination or any other kind of discrimination?

If so, please describe the nature of the accusations, the manner in which the accusations and discrimination were raised, and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 5**

Have you ever filed or raised claims of discrimination against your employer, informally or formally?

If so, please describe the nature of the accusations, the manner in which you filed or raised claims of discrimination, and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 6**

Have you ever been otherwise involved, in any way, such as a witness, in a matter involving accusations of employment discrimination?

If so, please describe the matter, your involvement, and the outcome.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 7**

Have any of your family members or close friends ever been subject to accusations of employment discrimination?

If so, please describe who was charged, the relationship to you, the nature of the charge, the manner in which the accusations of discrimination were raised, and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 8**

Have any of your family members or close friends ever raised or filed accusations of employment discrimination?

If so, please describe who raised the accusations; the relationship to you; the nature of the accusations; the manner in which the accusations of discrimination were raised or filed; and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 9**

Have you ever applied for a job or position, where you were not selected, yet you continue to believe that the person who was selected was less qualified than you for that position? If so, please describe the circumstances surrounding your non-selection.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 10**

Have you ever been involved in the selection or promotion process of an employee for a position of employment, including but not limited to creating a vacancy announcement, receiving applications, rating applications, interviewing and/or selecting or promoting? If so, please describe.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 11**

Do you believe that any federal agencies, such as the United States Department of Labor, favor employees having more seniority over those with less when it comes to promotions?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 12**

Have you ever been the subject of an investigation by an agency of the federal, state, or local government?

If so, please describe.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 13**

Have you ever had any disagreement or dispute with the United States Department of Labor or any other agency, department, or arm of the U.S. Government? If so, do you believe you were dealt with unfairly? If so, please describe.

If yes, do you think, in spite of such disagreement or dispute, you could reach an impartial decision regarding a matter involving the federal government?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 14**

Do you now or have you ever worked for the federal government?

If so, please describe the position or positions you have held.

If you previously worked for the federal government but are no longer working for the federal government, please describe the circumstances under which you left.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 15**

Have you ever been employed by or are you currently seeking employment with the United States Department of Labor, the Office of the United States Attorney, and/or the Department of Justice?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 16**

Have you ever had any involvement with the law office of John Linkosky, Esquire? If so, please explain.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 17**

Has your employer implemented an internal complaint procedure to investigate and respond to complaints of discrimination?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 18**

Do you believe people should be awarded monetary compensation for discriminatory treatment by their employer?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 19**

Have you ever thought juries award too much or too little money to people for emotional harm?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 20**

Would you tend not to believe the testimony of an employee of the federal government or federal agency merely because he or she is an employee for the federal government and for no other reason?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 21**

Would you tend to believe the testimony of an employee of the federal government over the testimony of one of their supervisors merely because he or she is an employee and not part of management?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 22**

Would you tend to believe the testimony of a female employee of the federal government over the testimony of a male supervisor merely because of her gender?

COURT ACTION: \_\_\_\_\_



**DEFENDANTS' REQUESTED VOIR DIRE NO. 23**

Is there any reason why you might not be inclined to give the testimony of a supervisor or manager of the federal government the same weight as the testimony of a federal employee who does not work in a supervisory or managerial capacity?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 24**

If an employee complains about discrimination at work, do you believe that his or her supervisors would then probably try to find something wrong with the employee's conduct or job performance?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 25**

Do you believe that supervisors in federal agencies who are being accused of unlawful discrimination are not trustworthy witnesses because of the nature of the charges being made against them or because they want to protect their jobs or reputations?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 26**

Do you believe that agencies of the federal government have not done enough to promote women into higher paying and/or more responsible job positions?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 27**

Do you now or have you ever supervised employees? If so, what was your position and briefly describe your supervisory responsibilities?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 28**

\_\_\_\_Are you now or have you ever been a member of a union? If so, please name the union.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 29**

Would you tend to believe the testimony of a federal employee who is a member of a union more than a supervisor of that employee?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 30**

Has a complaint ever been filed against you or one of your employees? If so, please describe the nature of the complaint.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 31**

Do you have any bias against a federal employee who is a lawyer? If so, please explain.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 32**

Have you ever filed a complaint against a co-worker or supervisor relating to their conduct on the job or otherwise? If so, what was the nature of the complaint and was it resolved to your satisfaction?

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 33**

Have you ever been sued?

If so, please explain what the circumstances were, who the defendants and the plaintiffs were, when the suit was filed, and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 34**

Have you ever filed a lawsuit?

If so, please explain what the circumstances were, who the defendants and the plaintiffs were, when the suit was filed, and the result.

COURT ACTION: \_\_\_\_\_

**DEFENDANTS' REQUESTED VOIR DIRE NO. 35**

Is there any reason why you could not render an impartial decision in this case or why you do not want to sit as a juror in this case?

COURT ACTION: \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on the 2<sup>nd</sup> day of June, 2006, I electronically filed and/or served by first-class U.S. mail a true and correct copy of the foregoing DEFENDANTS' REQUESTED VOIR DIRE to:

John R. Linkosky, Esquire  
John Linkosky & Associates  
715 Washington Avenue  
Carnegie, PA 15106

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant U.S. Attorney